



11-04-04

PATENT
450100-02572

AF
2176
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UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s) : Kazumoto KONDO
Serial No. : 09/596,110
For : ELECTRONIC BOOK DISPLAY DEVICE AND
ITS DISPLAY METHOD
Filed : June 16, 2000
Examiner : Peter J. Smith
Art Unit : 2176

745 Fifth Avenue
New York, New York 10151
Tel. (212) 588-0800

EXPRESS MAIL

Mailing Label Number: EV 206805262 US

Date of Deposit: November 3, 2004

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" Service under 37 CFR 1.10 on the date indicated above and is addressed to: **Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA, 22313-1450**

Barnet Shindler
(Typed or printed name of person mailing paper or fee)
Barnet Shindler
(Signature of person mailing paper or fee)

**NOTICE OF APPEAL UNDER 37 CFR 1.191 FROM THE PRIMARY EXAMINER
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES**

Mail Stop AF
Commissioner for Patents
P.O. Box 1450, Alexandria, VA 22313-1450

Sir:

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the Examiner's Decision, in the Official Action dated May 3, 2004, finally rejecting claims 1-6.

The item(s) checked below are appropriate:

- (1) ☒ This response is being filed concurrently with a No-Fee Petition to Grant Filing of Notice of Appeal Without Payment of the Notice of Appeal Fee and Extension of Time Fees. If such Petition is not granted, then this is a Petition to Request the Appropriate Extension of Time.
- (2) ☒ Notice of Appeal Fee Under 37 C.F.R. 1.17(e): \$340.00
This response is being filed concurrently with a No-Fee Petition to Grant Filing of Notice of Appeal Without Payment of the Notice of Appeal Fee and Extension of Time Fees. If such Petition is not granted, then please charge the Notice of Appeal Fee to our Deposit Account No. 50-0320.
- ☐ Enclosed
- ☐ Not required (Fee paid in prior appeal)
- (3) ☒ Please charge any additional fees incurred by reason of this response or credit any overpayment to Deposit Account No. 50-0320.
- (4) ☒ An Oral Hearing is requested.

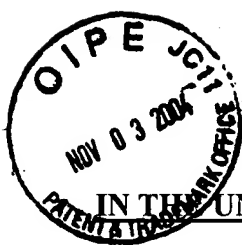
(Two additional copies of the Notice are enclosed herewith).

Respectfully submitted,

FROMMER LAWRENCE & HAUG LLP
Attorneys for Applicant(s)

By 

Bruno Polito
Registration No. 38,580
(212) 588-0800



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Barnet Shindler
(Typed or printed name of person mailing paper or fee)
Barnet Shindler
(Signature of person mailing paper or fee)

**NO-FEE PETITION TO GRANT FILING OF NOTICE OF APPEAL WITHOUT
PAYMENT OF THE NOTICE OF APPEAL FEE AND EXTENSION OF TIME FEES**

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This is a No Fee Petition to contend that no fees are due for the filing of the Notice of Appeal in the above-referenced application.

In response to the Final Office Action dated May 3, 2004, a response was timely mailed on July 1, 2004, over one month in advance of the shortened statutory period for a reply and received by the U.S. Patent and Trademark Office (PTO) on July 7, 2004, as acknowledged by the copy of the enclosed, stamped return receipt postcard.

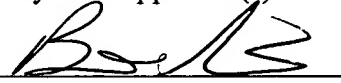
Applicant submits that since a response to the Final Office Action was mailed within two months of the mailing date of the Final Office Action and since an Advisory Action has apparently not yet been mailed (as indicated by a search conducted November 2, 2004 in the Patent Application Information Retrieval ("PAIR"), a copy of which is enclosed), the shortened statutory period should be extended until at least today. As a result, no extension of time fees in this matter should be due.

The Notice of Appeal is being filed concurrently with this Petition, and it is respectfully requested that the Applicant not be charged for the Notice of Appeal Fee, for the reasons noted above.

If the Petition is not granted, then the PTO is authorized to charge our Deposit Account No. 50-0320 for the Notice of Appeal fee of \$340.00 and/or any extension of time fees which may be due and/or any additional fees which may be due. Further, if needed, this is to be considered a Petition for an Extension of Time for the necessary amount of time.

Respectfully submitted,

FROMMER LAWRENCE & HAUG LLP
Attorneys for Applicant(s)

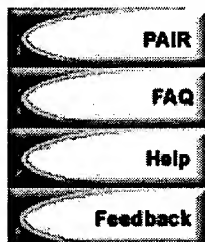
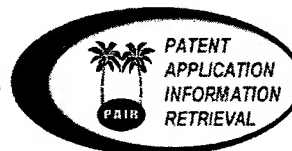
By 
Bruno Polito
Registration No. 38,580
(212) 588-0800



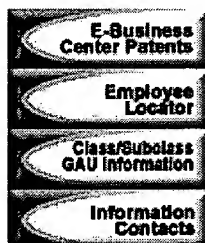
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PATENT APPLICATION INFORMATION RETRIEVAL



Other Links



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Search results as of: 11-2-2004::9:39:16 E.T.

Search results for application number:09/596,110			
Application Number:	09/596,110	Customer Number:	20999
Filing or 371(c) Date:	06-16-2000	Status:	Final Rejection Mailed
Application Type:	Utility	Status Date:	05-03-2004
Examiner Name:	SMITH, PETER J	Location:	ELECTRONIC
Group Art Unit:	2176	Location Date:	-
Confirmation Number:	2719	Earliest Publication No:	-
Attorney Docket Number:	450100-02572	Earliest Publication Date:	-
Class/ Sub-Class:	707/526	Patent Number:	-
First Named Inventor:	Kazumoto Kondo, Tokyo, (JP)	Issue Date of Patent:	-
Title Of Invention:	Electronic book display device and its display method		

Select Search Option

File History	
Date	Contents Description
07-07-2004	Workflow incoming amendment IFW
05-03-2004	Mail Final Rejection (PTOL - 326)
04-30-2004	Final Rejection
03-02-2004	Date Forwarded to Examiner
02-24-2004	Response after Non-Final Action
11-19-2003	Mail Non-Final Rejection
11-14-2003	Non-Final Rejection
09-11-2003	Case Docketed to Examiner in GAU
07-26-2003	Case Docketed to Examiner in GAU
06-16-2000	Request for Foreign Priority (Priority Papers May Be Included)
03-25-2001	Case Docketed to Examiner in GAU
10-17-2000	Application Dispatched from OIPE
10-17-2000	Application Is Now Complete
08-15-2000	Notice Mailed--Application Incomplete--Filing Date Assigned
08-15-2000	Correspondence Address Change
07-07-2000	IFW Scan & PACR Auto Security Review
06-16-2000	Initial Exam Team nn



Serial No. 09/596,110 File No. 450100-02572 By SHM/TK; dp
Title in the Matter of the Application of Electronic Book Display...
Applicant(s)/Inventor(s) Kazumoto Kondo
The following due 8/3 in the U.S. Patent Office, was received in the Patent Office
☐ Affidavit ☐ Declaration ☐ Express Mail Mailing Label # _____
☐ Amendment ☐ (separate sheet)
☐ Preliminary Amendment ☐ Check No. _____ for \$ _____
☒ Amendment After Final Rejection ☐ Deposit Account Order Form
☐ Request for Extension of Time ☐ Drawing _____ Sheet(s)
☐ Provisional Patent Application ☐ Information Disclosure Statement
☐ Application for Patent, including ☐ PTO Form 1449
 Pages Specification Claims Abstract ☐ Issue Fee/Publication Fee Transmittal
☐ Declaration ☐ Oath ☐ Power ☐ Appeal Brief (triplicate) ☐ Letter
☐ Request for Filing Continuation or Divisional ☐ Application for TM Registration
 Application sheets Including Specimens
☐ PCT Request sheets, including ☐ Status Request ☐ Notice of Appeal (triplicate)
☐ Transmittal Letter ☐ Petition ☐ Response
☐ Request for Continued Exam (RCE) ☐ Priority Document
☐ Assignment ☐ Recordation Cover Sheet ☐ Statement of Use
☒ Amendment Fee Transmittal ☐ Response to Examiner's Statement
☐ Claim of Priority ☐ Search Report
☐ Request for Approval of Drawings ☐ Response to Notice to File Missing Parts
☐ Diskette with Sequence Listing ☐

VIA FIRST CLASS MAIL

MAILED ON: 7/1/04

BEST AVAILABLE COPY

Serial No. 09/596,110 File No. 450100-02572 By SHM/TK; dp
Title in the Matter of the Application of Electronic Book Display...
Applicant(s)/Inventor(s) Kazumoto Kondo
The following due 8/3 in the U.S. Patent Office, was received in the Patent Office
☐ Affidavit ☐ Declaration ☐ Express Mail Mailing Label # _____
☐ Amendment ☐ (separate sheet)
☐ Preliminary Amendment ☐ Check No. _____
☒ Amendment After Final Rejection ☐ Deposit Account Order Form
☐ Request for Extension of Time ☐ Drawing _____ Sheet(s)
☐ Provisional Patent Application ☐ Information Disclosure Statement
☐ Application for Patent, including ☐ PTO Form 1449
 Pages Specification Claims Abstract ☐ Issue Fee/Publication Fee Transmittal
☐ Declaration ☐ Oath ☐ Power ☐ Appeal Brief (triplicate) ☐ Letter
☐ Request for Filing Continuation or Divisional ☐ Application for TM Registration
 Application sheets Including Specimens
☐ PCT Request sheets, including ☐ Status Request ☐ Notice of Appeal (triplicate)
☐ Transmittal Letter ☐ Petition ☐ Response
☐ Request for Continued Exam (RCE) ☐ Priority Document
☐ Assignment ☐ Recordation Cover Sheet ☐ Statement of Use
☒ Amendment Fee Transmittal ☐ Response to Examiner's Statement
☐ Claim of Priority ☐ Search Report
☐ Request for Approval of Drawings ☐ Response to Notice to File Missing Parts
☐ Diskette with Sequence Listing ☐

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